

EXHIBIT 35

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MARK I. SOKOLOW, et al.,

PLAINTIFFS,

-against-

Case No:
04CV397 (GBD) (RLE)

THE PALESTINE LIBERATION ORGANIZATION, et
al.,

DEFENDANTS.

-----X

DATE: August 1, 2012

TIME: 2:17 P.M.

DEPOSITION of ALAN BAUER, taken
by the Defendants, pursuant to Notice and
to the Federal Rules of Civil Procedure,
held at the offices of Morrison & Foerster,
1290 Avenue of the Americas, New York, New
York 10104, before Robert X. Shaw, CSR, a
Notary Public of the State of New York.

1 Alan Bauer

2 made by you or your wife?

3 A. It was my decision, in
4 consultation with my attorneys.

5 Q. Okay. And so, for the purposes
6 of the lawsuit, you're the guardian of
7 those four Plaintiffs; is that right?

8 A. That's correct. I think my
9 wife is also considered guardian, but yes.

10 Q. Okay. I understand that you
11 and your son were injured in a bombing on
12 March 31st, 2002 in Jerusalem; is that
13 correct?

14 A. It was March 21st, 2002 in
15 Jerusalem.

16 Q. I beg your pardon. March 21st.
17 I'd like to talk to you about
18 the state of health of your family prior to
19 that date. So, prior to the day you and
20 your son were at the bombing in March of
21 2002, had you ever had any mental health
22 treatment of any kind?

23 A. No, sir.

24 Q. Okay. Subsequent to the
25 attack, had you had any mental health

1 Alan Bauer

2 Q. And the location of the
3 explosion was behind you?

4 A. That's correct, sir.

5 Q. So, am I correct in thinking
6 that you are unable -- well, let me just
7 ask it this way: Did you see the person
8 who detonated the bomb at any point?

9 A. Not to my knowledge.

10 Q. So, you were unable to identify
11 the person who detonated the bomb; is that
12 fair to say?

13 A. That's correct, sir.

14 Q. And your son was traveling in
15 the same direction as you?

16 A. Yes, sir.

17 Q. I'll ask him, but as far as you
18 know, he can't identify the person who
19 detonated the bomb either; is that correct?

20 A. Not to my knowledge.

21 Q. I understand that you filed a
22 number of lawsuits. Can you tell me all of
23 the lawsuits you've filed where you are a
24 plaintiff?

25 A. Um --

1 Alan Bauer

2 I do believe that there may
3 have been statements in the press that the
4 bomber had been arrested for his planned
5 attack.

6 And that, at the request of the
7 Palestinian Authority, he was removed
8 through Israel to Ramallah for safer
9 keeping. The requests for Freedom of
10 Information were negative; so, I have no
11 information on that.

12 Q. So, just so the record is
13 clear, the evidence that you're aware of
14 regarding the possible release of the
15 person that was involved in the bombing
16 consists of the indictments that you
17 previously mentioned and press reports;
18 correct?

19 A. That's correct, sir.

20 Q. Dr. Bauer, I think this is
21 obvious, but let's just get it on the
22 record. You don't have any personal
23 knowledge that the Palestinian Authority
24 had anything to do with the attack on you
25 and your son?

1 Alan Bauer

2 A. That's correct, sir.

3 Q. And you, also, have no personal
4 knowledge that the PLO had anything to do
5 with the attack on you and your son?

6 A. That's correct, sir.

7 Q. Your belief that the PA or the
8 PLO was involved in the attack in which you
9 and your son were injured is based on the
10 hearsay that you've described to me today?

11 A. Is "hearsay" a correct word?

12 MR. SOLOMON: Do you understand
13 what "hearsay" is?

14 A. Um, I base my information on
15 the indictments, as well as the press
16 reports which were primarily based on those
17 indictments.

18 MR. SOLOMON: Just note my
19 objection.

20 Q. It's a -- it's based on things
21 you've read?

22 MR. SOLOMON: Note my
23 objection.

24 Q. Is that fair to say?

25 A. Things that I read, which I